

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

LUCIA F. SANCEZ, MICHAEL F.
SANCHEZ JR.; ERIK BRIONES,
RICHARD JENKINS, and
ROLAND RIVERA,

Plaintiffs,

v.

Case No. 1:24-cv-00646-KK-LF

RAÚL TORREZ, in his official capacity
As Attorney General of New Mexico;
RICHARD STUMP, in his official
capacity as Chair of the New Mexico State
Game Commission; SHARON SALAZAR
HICKEY, in her official capacity as
Vice-Chair of the New Mexico State Game
Commission; TIRZIO LOPEZ, in his
official capacity as a member of the New
Mexico State Game Commission; GREGG
FULFER, in his official capacity as a member
of the New Mexico State Game Commission;
DR. SABRINA PACK, in her official capacity
as a member of the New Mexico State Game
Commission; EDWARD GARCIA, in his
Official capacity as a member of the New
Mexico State Game Commission; FERNANDO
CLEMENTE JR., in his official capacity as a
member of the New Mexico State Game
Commission; and MICHAEL SLOANE, in his
official capacity as Director of the New Mexico
Department of Game & Fish,

Defendants.

JOINT MOTION TO VACATE INITIAL SCHEDULING ORDER
and STAY SCHEDULING OF PRETRIAL DEADLINES

THE PARTIES, by and through their respective counsel of record, jointly move to vacate
the Initial Scheduling Order and to stay scheduling of pretrial deadlines until the Court rules on
Defendants' Motion to Dismiss for Lack of Standing, Lack of Subject Matter Jurisdiction,

Abstention Based on Federal-State Comity, and Failure to State a Claim (“Motion to Dismiss”). (Doc. 16). As grounds for their Motion, the parties would show as follows:

1. Plaintiffs filed their Complaint in this matter on June 25, 2024 (Doc. 1). The parties agreed to an extension of the Defendants’ deadline to respond to the Complaint until August 5, 2024. (Doc. 14). Defendants filed their Motion to Dismiss on August 5, 2024. (Doc. 16).

2. The parties have agreed that Plaintiffs’ Response to Defendants’ Motion to Dismiss shall be due on September 9, 2024. (Doc. 17).

3. The Initial Scheduling Order in this matter was entered on July 25, 2024. (Doc. 15). Under the Order the parties are to “meet and confer” on or before August 26, 2024, and the Joint Status Report is due on September 3, 2024. (Doc. 15). The Rule 16 Scheduling Conference is set for September 9, 2024. (Doc. 15).

4. Based upon the pendency of Defendants’ Motion to Dismiss, the parties submit that the “meet and confer”, Joint Status Report and Rule 16 Scheduling Conference dates as currently scheduled should be vacated and that these dates should not be rescheduled until the Court has ruled on the Motion to Dismiss. The parties’ preparation of the Joint Status Report and participation in the Rule 16 Scheduling Conference will be more constructive following the Court’s ruling on the Motion to Dismiss. Further, the judicial resources required for conducting the Scheduling Conference and completing the Scheduling Order would be better spent after the Court rules on the Motion to Dismiss.

WHEREFORE, the parties respectfully request this Court enter its Order Vacating the Initial Scheduling Order and staying the resetting of the pretrial deadlines until after the Court

has ruled on the Defendants' Motion to Dismiss, and for such other relief as the Court deems proper.

Respectfully submitted,

FELKER, ISH, RITCHIE, GEER & WINTER, P.A.

By: /s/ **Mark L. Ish**

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CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of August, 2024, the foregoing was filed electronically pursuant to CM/ECF procedures for the District of New Mexico, which caused counsel of record to be served by electronic means, as more fully reflected on the Notice of Electronic Filing.

By: /s/ Mark L. Ish
Mark L. Ish, Esq.